

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

RED RIVER TALC LLC,¹

Debtor.

) Chapter 11
)
) Case No. 24-90505 (CML)
)
) **Re: Docket Nos. 25, 44, 46, 257, 260, 264,**
) **265, 266, 267, 299, 300, 302, 303, 305,**
) **308, 309, 375, 376, 377, 378, 388, 422,**
) **425, 426, 427, 428, 429, 430, 431, 432,**
) **435, 634, 635, 642, 1075, 1076, 1109,**
) **1110, 1111, 1114, 1115, 1171**

THE OFFICIAL COMMITTEE OF TALC CLAIMANTS'
(I) STATEMENT OF SUPPORT FOR APPROVAL OF THE DISCLOSURE STATEMENT
AND CONFIRMATION OF THE THIRD AMENDED PLAN,
(II) OPPOSITION TO THE DISMISSAL MOTIONS, THE COALITION VOTING
MOTIONS, AND THE EPIQ RECONSIDERATION MOTIONS, AND
(III) OMNIBUS JOINDER IN SUPPORT OF THE PLAN

For the reasons stated at the conclusion of the evidentiary hearing on February 28, 2025, the Official Committee of Talc Claimants (the “TCC”) supports entry of an order approving the *Disclosure Statement for Prepackaged Chapter 11 Plan of Reorganization of the Debtor* [Docket No. 25-2] (the “Disclosure Statement”) and confirming the *Third Amended Prepackaged Chapter 11 Plan of Reorganization of the Debtor* [Docket No. 1171] (the “Plan”), subject to amendments to the Plan and its exhibits clarifying that (i) Section 8.1(g) of the Plan will provide for the MSAs² to be acceptable in form and substance to the TCC and be executed by the parties thereto, (ii) there will be continuity of distributions for claimants from the trust established under the Plan and the Qualified Settlement Fund³ established under the MSA for the out of court process in the event

¹ The last four digits of the Debtor's taxpayer identification number are 8508. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

² The Private Resolution Process MSA and the Common Benefit Fund MSA are referred to herein as the MSAs.

³ Capitalized terms used in this Statement but not otherwise defined herein shall have the meanings ascribed to them in the Plan.

that confirmation of the Plan is overturned on appeal, and (iii) section 4.4.1 of the Trust Distribution Procedures will be amended to provide Direct Claimants with the option to either submit a Gynecological Cancer Claim to the Trust (or QSF) and receive payment thereon or to forgo submission of such claim and later submit an Ovarian Cancer Claim to the Trust (or QSF) as a Future Direct Claim in the event that they later develop Ovarian Cancer.⁴

In addition, all of the TCC's rights under the Plan are unaffected by Section 13.14 thereof as a result of the TCC's support of the Plan.

Consistent with its support of the Plan, the TCC also opposes the relief sought by the Coalition of Counsel for Justice for Talc Claimants, the United States Trustee and other parties to dismiss the Chapter 11 Case [Docket Nos. 44, 299, 302, 303, 308, 309, 375, 376, 378, 388]⁵, to Establish a Bar Date [Docket No. 264], to Designate Votes [Docket No. 265], to Reinstate Votes [Docket No. 266], and to Estimate Claims for Voting Purposes [Docket No. 267],⁶ and to

⁴ As of the date of this filing, (i) Section 8.1(g) of the Plan and section 4.4.1 of the Trust Distribution Procedures have been amended to the Committee's satisfaction, and (ii) the parties have continued to negotiate in good faith concerning the form and substance of the MSAs, as well as with regard to language concerning the continuity of distributions for claimants under the circumstances identified above.

⁵ The *Motion of the Coalition of Counsel for Justice for Talc Claimants to Dismiss the Chapter 11 Case Pursuant to 11 U.S.C. § 1112(b)* [Docket No. 44], the *Motion of the United States' Trustee to Dismiss Case Under 11 U.S.C. § 1112(b)* [Docket No. 299], the *Joinder of Claimants Represented by Barnes Law Group, LLC to Motion of the Coalition of Counsel for Justice for Talc Claimants to Dismiss the Chapter 11 Case Pursuant to 11 U.S.C. § 1112(b)* (Dkt. No. 44) [Docket No. 302], the *Joinder of Claimants Represented by Barnes Law Group, LLC to United States Trustee's Motion to Dismiss Case Under 11 U.S.C. § 1112(b)* (Dkt. No. 299) [Docket No. 303], the *Joinder of Claimants Represented by Goldstein Greco, P.C. to Motion of the Coalition of Counsel for Justice for Talc Claimants to Dismiss the Chapter 11 Case Pursuant to 11 U.S.C. § 1112(b)* (Dkt. No. 44) [Docket No. 308], the *Joinder of Claimants Represented by Goldstein Greco, P.C. to United States Trustee's Motion to Dismiss Case Pursuant to 11 U.S.C. § 1112(b)* (Dkt. No. 299) [Docket No. 309], the *Memorandum of Law Joining the United States Trustee's Motion to Dismiss (Docket No. 299) and the Motion to Dismiss Filed by the Coalition of Counsel for Justice for Talc Claimants (Docket No. 44)* [Docket No. 375], the *J&J Insurers' Joinder in United States Trustee's Motion to Dismiss Case Pursuant to 11 U.S.C. § 1112(B)* [Docket Nos. 376, 378], and the *Joinder in United States Trustee's Motion to Dismiss Case Pursuant to 11 U.S.C. § 1112(B)* [Docket No. 388] are referred to herein as the Dismissal Motions.

⁶ The *Motion of the Coalition of Counsel for Justice for Talc Claimants for Entry of an Order (I) Establishing a Deadline for Filing Proofs of Claim, (II) Approving the Proposed Model Claim Form for Talc Personal Injury Claims and Related Procedures, and (III) Directing the Debtor to Provide Adequate Notice of the Deadline for Filing Proofs of Claim to All Talc Personal Injury Claimants* [Docket No. 264], the *Motion of the Coalition of Counsel for Justice for Talc Claimants for Entry of an Order Designating Votes Pursuant to 11 U.S.C. § 1126(e)*

Reconsider Epiq's Retention Order [Docket Nos. 257, 300].⁷

The TCC also hereby joins the general positions taken by the Debtor, the Ad Hoc Committee of Supporting Counsel, and the SLF Claimants with respect to the approval of the Disclosure Statement and confirmation of the Plan with respect to (i) the opposition to (A) the Dismissal Motions [Docket Nos. 425, 426, and 435]⁸, (B) the Coalition Voting Motions [Docket Nos. 427, 428, 430, 431, 432, 435]⁹, and (C) the Epiq Reconsideration Motions [Docket Nos. 260, 422, 429, 435]¹⁰; and (ii) the relief sought to Confirm the Voting Results [Docket Nos. 305, 377,

[Docket No. 265], the *Motion of the Coalition of Counsel for Justice for Talc Claimants for Entry of an Order Reinstating Votes Improperly Modified by the Smith Law Firm PLLC* [Docket No. 266], and the *Motion of the Coalition of Counsel for Justice for Talc Claimants for Entry of an Order (I) Authorizing an Estimation of Current Talc Claims for Voting Purposes, and (II) Establishing Procedures and Schedule for Estimation Proceedings* [Docket No. 267] are referred to herein as the Coalition Voting Motions.

⁷ The *Objection of the Coalition of Counsel for Justice for Talc Claimants to Debtor's Emergency Ex Parte Application for Entry of an Order Authorizing the Employment and Retention of Epiq Corporate and Emergency Ex Parte Motion for the Entry of an Order Reconsidering and Vacating the Ex Parte Order Authorizing the Employment and Retention of Epiq Corporate Restructuring, LLC as Claims, Noticing and Solicitation Agent* [Docket No. 257] and the *U.S. Trustee's Motion to Reconsider the Order Authorizing the Employment and Retention of Epiq Corporate Restructuring, LLC as Claims, Noticing, and Soliciting Agent* [Docket No. 300] are referred to herein as the Epiq Reconsideration Motions.

⁸ The *Debtor's Omnibus Objection to the Motions of the Coalition and United States Trustee to Dismiss the Chapter 11 Case* [Docket No. 425], the *Omnibus Objection of the Ad Hoc Committee of Supporting Counsel to Motions to Dismiss* [Docket No. 426], and *The SLF Claimants' Corrected (I) Omnibus Objection to the Coalition Voting Pleadings and Cross-Motion under Rule 3018(a) (II) Objection to the Motions to Dismiss, and (III) Joinder to Certain of the Debtor's Pleadings, Including the Voting Results Motion* [Docket No. 435].

⁹ The *Omnibus Objection of the Ad Hoc Committee of Supporting Counsel to the Motions of the Coalition of Counsel for Justice for Talc Claimants (A) Designating Votes (Dkt. No. 265), (B) Reinstating Votes (Dkt. No. 266), and (C) Establishing Estimation Procedures and Scheduling Estimation Proceedings (Dkt. No. 267)* [Docket No. 427], the *Debtor's Objection to Motion of the Coalition of Counsel for Justice for Talc Claimants for Entry of an Order Designating All Accepting Votes on the Prepackaged Plan of Reorganization of the Debtor* [Docket No. 428], the *Debtor's Objection to Motion of the Coalition of Counsel for Justice for Talc Claimants for Entry of an Order Reinstating Votes Improperly Modified by the Smith Law Firm PLLC* [Docket No. 430], the *Joinder of the Ad Hoc Committee of Supporting Counsel to Debtor's Objection to the Motion of the Coalition Establishing a Deadline for Filing Proofs of Claim and Related Relief* [Docket No. 431], the *Debtor's Joint Objection to Motions of the Coalition of Counsel for Justice for Talc Claimants for (I) A Deadline for Filing Proofs of Claim and Related Relief and (II) An Estimation of Current Talc Claims for Voting Purposes and Related Relief* [Docket No. 432], and *The SLF Claimants' Corrected (I) Omnibus Objection to the Coalition Voting Pleadings and Cross-Motion under Rule 3018(A) (II) Objection to the Motions to Dismiss, and (III) Joinder to Certain of the Debtor's Pleadings, Including the Voting Results Motion* [Docket No. 435].

¹⁰ The *Debtor's Preliminary Response to Objection of the Coalition of Counsel for Justice for Talc Claimants to Debtor's Emergency Ex Parte Application for Entry of an Order Authorizing the Employment and Retention of Epiq Corporate and Emergency Ex Parte Motion for the Entry of an Order Reconsidering and Vacating the Ex Parte Order Authorizing the Employment and Retention of Epiq Corporate Restructuring, LLC as Claims,*

435, 642]¹¹, to approve the Disclosure Statement [Docket Nos. 46, 634, 635, 642]¹², and to confirm the Plan [Docket Nos. 1075, 1076, 1109, 1110, 1111, 1114, 1115].¹³

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Noticing and Solicitation Agent [Docket No. 260], the *Debtor's Objection to Motion to Reconsider and Vacate Order Authorizing the Employment and Retention of Epiq Corporate Restructuring, LLC as Claims, Noticing and Solicitation Agent* [Docket No. 422], the *Joinder of the Ad Hoc Committee of Supporting Counsel to Debtor's Objection to Motion to Reconsider and Vacate Order Authorizing the Employment and Retention of Epiq Corporate Restructuring, LLC as Claims, Noticing and Solicitation Agent* [Docket No. 429], and *The SLF Claimants' Corrected (I) Omnibus Objection to the Coalition Voting Pleadings and Cross-Motion under Rule 3018(A) (II) Objection to the Motions to Dismiss, and (III) Joinder to Certain of the Debtor's Pleadings, Including the Voting Results Motion* [Docket No. 435].

- ¹¹ The *Debtor's Motion for Entry of an Order Confirming the Results of Voting on the Prepackaged Plan of Reorganization* [Docket No. 305], the *Joinder of the Ad Hoc Committee of Supporting Counsel to Debtor's Motion for Entry of an Order Confirming the Results of Voting on the Prepackaged Plan of Reorganization* [Docket No. 377], *The SLF Claimants' Corrected (I) Omnibus Objection to the Coalition Voting Pleadings and Cross-Motion under Rule 3018(A) (II) Objection to the Motions to Dismiss, and (III) Joinder to Certain of the Debtor's Pleadings, Including the Voting Results Motion* [Docket No. 435], and the *SLF Claimants' Preliminary Joinder and Reply in Support of Debtor's (I) Voting Results Motion and (II) Disclosure Statement Motion* [Docket No. 642].
- ¹² The *Debtor's Motion for Entry of an Order Approving (I) Adequacy of Disclosure Statement, (II) Solicitation Packages and Procedures Employed for the Solicitation and Tabulation of Votes on the Debtor's Prepackaged Plan of Reorganization and (III) Notice of Non-Voting Status* [Docket No. 46], the *Debtor's Consolidated Reply In Support of Approval of Disclosure Statement, Solicitation Procedures and Tabulation of the Vote on the Debtor's Prepackaged Chapter 11 Plan of Reorganization* [Docket Nos. 634, 635], and the *SLF Claimants' Preliminary Joinder and Reply in Support of Debtor's (I) Voting Results Motion and (II) Disclosure Statement Motion* [Docket No. 642].
- ¹³ The *Debtor's Memorandum of Law in Support of Confirmation of the Second Amended Prepackaged Chapter 11 Plan of Reorganization of Red River Talc LLC* [Docket Nos. 1075, 1076], the *Ad Hoc Committee of Supporting Counsel's Memorandum of Law in Support of Confirmation of Debtor's Second Amended Prepackaged Chapter 11 Plan of Reorganization* [Docket No. 1109], the *Debtor's Pretrial Brief* [Docket Nos. 1110, 1111], and *The SLF Claimants' (I) Omnibus Reply in Support of the Debtor's Second Amended Plan and (II) Pre-Trial Brief* [Docket Nos. 1114, 1115].

Dated: March 20, 2025
Houston, Texas

Respectfully submitted,

/s/ Sander L. Esserman

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Certificate of Service

I certify that on March 20, 2025, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Sander L. Esserman
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